

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Before this Court is Report and Recommendation of U.S. Magistrate Judge William G. Cobb (#92¹) entered on July 5, 2012, recommending denying Defendants' Motion for Summary Judgment (#65) filed on January 31, 2012, and denying Plaintiff's Cross-Motion for Summary Judgment (#81) filed on April 23, 2012. Defendants filed their Objections to the Magistrate Judge's Report and Recommendation (#93) on July 18, 2012. Plaintiff filed his Objection to Magistrate Judge's Report and Recommendation (#98) on August 20, 2012. No responses have been filed. This action was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and LR IB 1-4 of the Local Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the objections of the Plaintiff and Defendants, the pleadings and memoranda of the parties and other relevant matters

¹Refers to court's docket number.

1 of record pursuant to 28 U.S.C. § 636 (b) (1) and Local Rule IB 3-2. The Court determines that the
2 Magistrate Judge's Report and Recommendation (#92) entered on July 5, 2012, should be adopted and
3 accepted.

4 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#92)
5 entered on July 5, 2012, is adopted and accepted, and Defendant's Motion for Summary Judgment
6 (#65) is DENIED.

7 IT IS FURTHER ORDERED that Plaintiff's Cross-Motion for Summary Judgment (#81) is
8 DENIED.

9 IT IS FURTHER ORDERED that the parties shall file a joint pre-trial order with the court
10 within 45 days of this order.

11 IT IS SO ORDERED.

12 DATED this 28th day of September, 2012.



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15 LARRY R. HICKS
16 UNITED STATES DISTRICT JUDGE
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